

whereby its inferiority was concealed. Misbranding of the product was alleged for the reason that said article was an imitation of another article of food, to wit, genuine peppermint essence, in that oil of peppermint in the quantity of not less than 3 per centum by volume is an essential ingredient of the article of food known as genuine peppermint essence, whereas the article of food aforesaid consisted of a certain dilute peppermint essence containing not more than 0.4 of 1 per centum by volume of oil of peppermint. Misbranding was alleged for the further reason that the article consisted of a certain dilute solution of peppermint essence containing not more than, to wit, 0.4 of 1 per centum by volume of oil of peppermint, and was offered for sale, invoiced, sold, and delivered under the distinctive name of another article of food, to wit, genuine peppermint essence.

On December 15, 1913, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$100 and costs.

C. F. MARVIN, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., August 14, 1914.

**3336. Adulteration and misbranding of peppermint and ginger extracts.**

**U. S. v. Adolph, Louis, and Walter F. Seidel (Royal Chemical Works). Plea of guilty. Fine, \$100 and costs. (F. & D. No. 3816. I. S. Nos. 12958-d, 12959-d.)**

On August 4, 1913, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Adolph Seidel, Louis Seidel, and Walter F. Seidel, copartners, doing business as the Royal Chemical Works, Chicago, Ill., alleging shipment by said defendants, in violation of the Food and Drugs Act, on November 28, 1911, from the State of Illinois into the State of Ohio, of quantities of peppermint extract and ginger extract, which were misbranded. Analysis of a sample of the peppermint extract by the Bureau of Chemistry of this department showed the following results:

Specific gravity, 15.6° C.....	0.9476
Alcohol (per cent by volume).....	42.1
Methyl alcohol: None.	
Oil (per cent by volume by precipitation).....	0.8
Solids (grams per 100 cc).....	0.04
Organoleptic test: Peppermint flavor.	
Color: Naphthol Yellow S.	

Adulteration of the product was alleged in the information for the reason that oil of peppermint in the quantity of not less than 3 per centum by volume is an essential ingredient of the article of food known as peppermint extract, whereas a certain dilute extract of peppermint containing not more than 0.4 of 1 per centum by volume of oil of peppermint had been mixed and packed with the article of food aforesaid in such a manner as to reduce and lower and injuriously affect the quality and strength of the article of food aforesaid; and for the further reason that a certain dilute extract of peppermint containing not more than 0.4 of 1 per centum by volume of oil of peppermint had been substituted wholly and in part for the aforesaid essential quantity of oil of peppermint in the aforesaid article of food. Adulteration was alleged for the further reason that the article of food had been colored in a manner whereby its inferiority was concealed. Misbranding was alleged for the reason that the article of food aforesaid was an imitation of another article of food, to

wit, genuine peppermint extract, in that oil of peppermint in the quantity of not less than 3 per centum by volume is an essential ingredient of the article of food known as genuine peppermint extract, whereas the article of food aforesaid consisted of a certain dilute peppermint extract containing not more than 0.4 of 1 per centum by volume of oil of peppermint. Misbranding was alleged for the further reason that the article consisted of a certain dilute solution of peppermint extract consisting of not more than, to wit, 0.4 of 1 per centum by volume of oil of peppermint and was offered for sale, invoiced, sold, and delivered under the distinctive name of another article of food, to wit, genuine peppermint extract.

Analysis of a sample of the ginger extract by said Bureau of Chemistry showed the following results:

Specific gravity at 15.6° C-----	0.9372
Alcohol (per cent by volume)-----	47.7
Methyl alcohol: None.	
Solids (grams per 100 cc)-----	0.18
Ginger, vanillin test: Positive.	
Capsicum, qualitative test: Negative.	
Organoleptic test: Ginger flavor.	
Color: Naphthol Yellow S., Amaranth.	

Adulteration of this product was alleged in the information for the reason that a dilute solution of extract of ginger had been mixed and packed with the article of food aforesaid in such a manner as to reduce and lower and injuriously affect its quality and strength, and for the further reason that a certain substance, to wit, a dilute solution of extract of ginger had been substituted in part for the article of food aforesaid, and for the further reason that a certain substance, to wit, a dilute solution of extract of ginger had been substituted in part and wholly for the article. Adulteration was alleged for the further reason that the article of food had been colored in a manner whereby its inferiority was concealed.

On December 15, 1913, a plea of guilty was entered on behalf of the defendant firm, and the court imposed a fine of \$100 and costs.

[While it was alleged in the information that the peppermint extract contained 0.4 per cent of oil of peppermint, it will be noted that the analysis indicated the presence of 0.8 per cent oil of peppermint.]

C. F. MARVIN, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., August 15, 1914.

**3337. Adulteration and misbranding of Jamaica ginger. U. S. v. Victor Gautier & Co. Plea of guilty. Fine, \$15. (F. & D. No. 4218. I. S. No. 14895-d.)**

At the March, 1914, term of the District Court of the United States for the Southern District of New York, the United States attorney for said district, acting upon a report by the Secretary of Agriculture, filed an information against Victor Gautier & Co., a corporation, New York, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act, on September 14, 1911, from the State of New York into the State of Tennessee, of a quantity of Jamaica ginger which was adulterated and misbranded. The product was labeled: "Ginger. Superfine Jamaica-type-Ginger drops compound. These goods are carefully compounded and prepared under the most modern and improved methods and are guaranteed by Victor Gautier & Co. Inc. New York, under the Food and Drugs Act, June 30, 1906. Serial No. 8115."